

EXHIBIT 4

Kevin Lucas
October 27, 2020

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1 - KEVIN LUCAS -

2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK

4 ----- X
5 ULKU ROWE,

6 Plaintiff,

7 Case No.
8 19 Civ. 08655 (LGS) (GWG)

9 v.

10 GOOGLE LLC

11 Defendant.

12 ----- X

13 DATE: October 27, 2020

14 TIME: 11:35 A.M.

15 VIDEOTAPED VIDEOCONFERENCE DEPOSITION

16 OF KEVIN LUCAS, held via Zoom, pursuant to Notice,

17 before Hope Menaker, a Shorthand Reporter and

18 Notary Public of the State of New York.

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2 today?

3 A. No.

4 Q. Did you look at anything on the
5 computer that maybe wasn't printed out?

6 A. I looked at a job code dashboard, but

7 --

8 Q. And what's that?

9 A. It is an internal dashboard that
10 essentially lists job titles and levels that are
11 attached to a specific job code.

12 Q. Does that have any relationship to
13 the ladder?

14 A. Job codes and job titles are attached
15 to a ladder, but there isn't -- there isn't
16 additional detail that is specific to the ladder.

17 Q. So my question is; the job code
18 dashboard that you looked at --

19 A. Yes.

20 Q. -- does that have any connection to
21 the ladder?

22 A. Well, job codes are attached to a job
23 title that sits on a job ladder or within a job
24 family so they are related, but it's just a
25 spreadsheet with, like numbers and -- and job

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2 titles essentially.

3 So I guess, said differently, there's
4 not a depth to the dashboard other than just
5 validating job codes and job titles.

6 Q. So describe for me what you
7 saw --

8 A. Yep.

9 Q. -- when you looked at that dashboard?

10 A. If you can imagine a spreadsheet, it
11 essentially lists every single job code in the
12 company, the corresponding job title, the job
13 level, and I think it might list the ladder but I
14 don't recall.

15 Q. Were you asked to provide documents
16 or materials to Google in connection with this
17 case?

18 A. Yes.

19 Q. When was that?

20 A. It had to have been more than fifteen
21 months ago.

22 Q. Did you provide documents in
23 connection with this case?

24 A. Documents, yes.

25 Q. And by "documents," you understand

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2 with you, Ken, at another time off the
3 record.

4 MR. GAGE: Well, I -- I think he is
5 prepared to talk about the process for the
6 creation of job postings, the process for
7 creation of job descriptions, and I think he
8 indicated in response to a number of your
9 questions that he is prepared to talk about
10 that generally and so I think, you know, you
11 can choose whether or not to follow up on
12 that, it's your choice, but I believe he is
13 prepared; but we could talk about it off the
14 record too, if you want.

15 MS. GREENE: Yeah.

16 Q. Mr. Lucas, are you able to testify as
17 to the job duties of technical solutions
18 consultants within OCTO?

19 A. Yeah, I think generally so.

20 Q. What are the job duties?

21 A. They are largely an interplay between
22 customers and sales. So I consider them kind of
23 the -- the ride along to our selling function,
24 whereby they work most closely with senior and/or
25 C-level executives at large organizations around

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2 the world to speak to how our products and
3 services can add value to their businesses and,
4 more likely than not, speak to the way in which
5 our products and services technically integrate or
6 support their respective lines of business.

7 Q. And what is that understanding based
8 on?

9 A. Observation and some visibility into
10 it. OCTO partners closely with our sales
11 organization and Tariq's organization.

12 Q. With respect to the job duties of a
13 technical solutions consultant in OCTO, who is the
14 best person to testify as to what the job duties
15 entailed?

16 MR. GAGE: Objection.

17 A. I would assume Will Grannis, the
18 leader of the organization, is suited for that.

19 Q. And also someone who is performing
20 the role, would you expect that they would be able
21 to testify as to their job duties?

22 MR. GAGE: Objection.

23 A. I think so.

24 Q. Okay. I want you to -- we're going
25 to go to Tab 135. Let me know when you have it

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2 A. Yes, that is my understanding and I
3 think they still do.

4 Q. And that's an Eng role?

5 A. No, it is not.

6 Q. Are there other roles that use the
7 technical solutions consultant ladder?

8 A. I am not aware of other roles within
9 Cloud, other than the ones that I've mentioned,
10 that use the TSC job family. There are several
11 roles outside of Cloud that use that family.

12 Q. Focusing on director level
13 roles --

14 A. Okay.

15 Q. -- what are the substantive
16 differences between a director in a technical
17 solutions consultant role and a product management
18 role?

19 A. Oh, they're -- they're rather
20 different roles.

21 A product manager -- a product
22 management director is defining the strategy of
23 the product in the multi-tier road map and
24 partnering with engineering to actually build
25 according to that road map and deliver that

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2 product to customers or users.

3 Technical solutions consultants have
4 nothing to do with product strategy or road map.
5 They -- they don't really interact with the
6 engineering side of the house that much. It is
7 largely a go-to-market function that is attached
8 to our seller motion.

9 So their -- it -- it -- like I'm
10 hard-pressed to find a commonality between the
11 two.

12 Q. With respect to technical solutions
13 consultant directors, I want to just focus in on
14 OCTO, the directors within OCTO. What are the
15 substantive differences between the TSC directors
16 in OCTO and directors in product management?

17 A. The primary difference is TSCs in
18 OCTO have nothing to do with the product strategy
19 and road map.

20 Q. So your testimony is they have
21 nothing to do with the product strategy?

22 MR. GAGE: Objection.

23 A. Yeah. Again, the TSCs in OCTO are
24 more aligned to the selling motion so they
25 are -- yeah, they're -- they're more of a selling

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2 motion for us than -- than anything.

3 Q. And is it your testimony that they
4 also don't work with engineering at all?

5 MR. GAGE: Objection.

6 A. It is -- how do I -- yes, basically
7 they might interact occasionally with engineering
8 or product management, but they by -- by saying
9 "work with," I wouldn't characterize it as that
10 because I interpret that as almost like close
11 partnership and collaboration on something and
12 that's -- that's not so much the role.

13 Q. What -- again, focusing on technical
14 solution consultants, the director level in
15 Cloud -- I mean in OCTO, I'm sorry --

16 A. In OCTO.

17 Q. -- what's the difference between the
18 responsibilities of that role and the
19 responsibilities of a director in software
20 engineering?

21 A. It's -- it's a similar response to PM
22 in that they're -- they're more dissimilar than
23 they are alike.

24 Software engineering leaders, a
25 portion of their role is actually building. So

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2 coding the products that -- or writing the code
3 that builds our products and services. So
4 literally writing in computer language to build
5 things.

6 Whereas the TSC directors in OCTO do
7 not check in code to Google Free, which is -- is
8 our platform by which we launch our -- our
9 products. So, in fact, I don't think they
10 have -- I don't think TSCs in OCTO have access to
11 write code in Google Free.

12 Q. Are directors writing code or are
13 they supervising people who are writing code?

14 A. There's a component of -- of writing
15 a code and -- and approving a code before it's
16 pushed into production of -- of directors, yes.

17 Q. Do you know what technical
18 requirements a technical solutions consultant is
19 required to have?

20 MR. GAGE: Objection. I'm sorry, I
21 didn't hear the question. You broke up.

22 Q. Do you know what technical
23 requirements a technical solutions consultant is
24 required to have? What are their technical
25 qualifications --

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2 MR. GAGE: Objection.

3 Q. -- again, focusing on directors in
4 OCTO?

5 A. I would probably characterize it as
6 the ability to understand concepts versus actually
7 write code. So technical solutions, the -- the
8 job family technical solutions consultant, is kind
9 of more generally focused on understanding
10 technical concepts and how that applies to
11 implementation on the customer's side of the
12 house.

13 Whereas the software engineering is
14 kind of understanding the guts and everything
15 under the hood and actually being able to build
16 all of it from scratch.

17 MS. GREENE: So --

18 MR. GAGE: Cara, yeah, can we pause
19 for a second. I -- I had a screen -- Kevin's
20 screen froze and I couldn't hear him.

21 So, Hope, can you just tell us what's
22 the last thing you heard and maybe just go to
23 the question and the answer so that we all
24 know the context of where we are on the
25 record at least.

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2 would need to have a -- a pretty solid amount of
3 technical acumen and depth to be able to have that
4 conversation with a customer, for example.

5 Q. Do you know whether the ideal
6 candidate is someone who is either an CTO, an
7 algorithmic quantitative trainer, or an SCT of
8 engineering?

9 MR. GAGE: Objection.

10 A. Yeah, those are three very different
11 and very specific -- almost -- roles, but I -- I
12 can see how that would be valuable; but when it
13 comes to actually performing the job, again it
14 goes back to the knowledge, awareness and -- and
15 capability to understand concepts and -- and think
16 through how to implement that.

17 So you -- again, you wouldn't
18 necessarily be coding in specific programming
19 language. In fact as part of the interview
20 process, software engineers actually have to code.

21 Q. Are -- amongst all of the 12
22 positions we have been discussing thus far, are
23 those all salaried positions?

24 A. Yes.

25 Q. Do -- are all of those positions

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2 positions where people may work more than 40 hours
3 in a week?

4 A. I -- I suppose, yeah. Any -- any
5 position you can work for more than 40, right, but
6 I will say -- perhaps maybe a little bit outside
7 of the scope of this question, I will say that
8 Google is an organization that explicitly tries to
9 find that balance. So, again, a lot of it is on
10 the individuals to find what that it looks like as
11 well.

12 Q. For directors at Level 8s and 9s at
13 this position, is it considered a, quote/unquote,
14 9 to 5 job?

15 MR. GAGE: Objection.

16 A. I think it could be.

17 Q. Do you know any directors at Level 8
18 and 9 in these positions who only work 40 hours a
19 week?

20 MR. GAGE: Objection.

21 A. None of them punch a time clock, so I
22 wouldn't be able to -- to definitively say what
23 hours they're working and the way in which they --
24 they decide to work.

25 In observation it would appear though

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2 level, Level 8 plus, is it also common that they
3 are an expert in their respective area?

4 A. I think that's a reasonable way to
5 say it, yeah.

6 Q. Are you familiar with the term
7 "Googlely"?

8 A. I am.

9 Q. And can you define for us what the
10 term "Googlely" means as it's used at Google?

11 A. Yeah. I would say it's probably best
12 defined in the form of behavioral descriptors. So
13 supportive of -- of teammates, an empathetic
14 approach to their work and interactions, roots
15 everything in doing the right thing so there's
16 integrity. I do think there's this element of
17 bringing your best self to work, so showing up
18 authentically and intentionally.

19 Q. Okay. With respect to the 12
20 positions, is it an expectation with respect to
21 those 12 positions, for the individuals in those
22 positions to have the quality of innovative
23 thinking?

24 MR. GAGE: Objection.

25 A. I think there's probably some level

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2 of -- to some degree, innovative thinking can be
3 subjective. If it is rooted in the ability to
4 think differently or creatively or -- or more in
5 that space, that is probably a reasonable
6 expectation of most senior roles at Google, not
7 just these 12.

8 The way in which innovative thinking
9 would show up in each of those roles might be a
10 little different or would be a little different,
11 but I -- I think it's a reasonable statement.

12 Q. With respect to those individuals in
13 those 12 positions, would they be expected to have
14 the quality of collaboration?

15 A. I -- I would say that's universal
16 across every role at Google, so yes.

17 Q. And are they also expected to be
18 highly technical in their respective positions?

19 A. "Highly" in -- in my opinion is a
20 rather subjective word in that on the software
21 engineering ladder for example where you were
22 literally building these products in -- in a
23 programming language, I would say highly
24 doesn't -- it -- it isn't a strong enough word to
25 describe that.

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2 On the product management side if I
3 were to kind of stack, again I would say software
4 engineering, product management, you would need to
5 be probably highly technical.

6 On the technical solutions side maybe
7 moderately, only because I'm stacking them right
8 now because I do think there's a difference
9 between the three in the way in which that ability
10 shows up, but there is -- there's value in a solid
11 level of technical acumen and at a minimum in all
12 of them, but again the degree to which that shows
13 up is gonna be very different.

14 Q. Is it true of all the positions,
15 those 12 positions, and again we're focusing on
16 directors, director levels of those 12 positions,
17 is it true that they -- a requirement is that they
18 have the ability to work independently?

19 A. Without looking at a job description
20 of specific role, a profile of each 12, I would
21 say yes, that's a -- a reasonable expectation but,
22 again, that's an expectation to varying degrees
23 across levels so I -- I hate to kind of pic -- I
24 would say it's probably relevant to most roles at
25 Google, but I think a lot of this is -- is true

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2 which the degree to which it is -- is required or
3 shows up.

4 Q. With respect to the directors in
5 those 12 positions, is it a requirement that they
6 know how to design and deliver complex
7 applications or services?

8 A. I would say that's not a requirement
9 of the technical solutions consultant role in OCTO
10 or even technical solutions consultant more
11 broadly. That is -- is likely a requirement that
12 is most closely aligned with engineering and
13 product management, but again it -- the service
14 appear -- like the tail end of that -- that
15 question is, it depends on how you would
16 double-click and define the services.

17 Q. Do individuals in those 12 roles need
18 to have experience with multiple software design
19 methodologies?

20 A. I -- I wouldn't think that's a
21 required expectation of the TSC job family,
22 although there's probably value in it.

23 It's absolutely needed on the
24 engineering side and within product management
25 roles that, again if I stack rate it in terms of

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2 when Sundar said that, generally speaking, all of
3 Google will continue work remotely until June of
4 2021. So, yes, that is -- it's available to them.

5 That said I think it's by the end of
6 this year they all have to be working within their
7 home countries, so the country for which their
8 position is assigned. So they cannot be
9 internationally mobile beginning January 1 and/or
10 their first day back in the office if they were
11 taking a leave of absence or vacation.

12 Q. Are you familiar with the term
13 "individual contributor" as that term is used at
14 Google?

15 A. Yes.

16 Q. And can you explain to me the
17 difference between an individual contributor
18 versus a person manager?

19 A. Yep, an individual contributor does
20 not have direct reports.

21 Q. Do you know how many Level 8s
22 among these different positions are individual
23 contributors?

24 MR. GAGE: Objection.

25 A. I would -- I can't give you a

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2 specific number, but I would say it's very, very
3 few.

4 Typically once you move -- or at
5 Level 8 and above. The vast majority of
6 people in those roles are people managers unless
7 your role is maybe a bit nuanced or specialized or
8 divergent in -- in some way. So, for example,
9 I've worked with director-level chief of staff who
10 was an individual contributor.

11 Q. And what significance does being an
12 individual contributor versus being a person
13 manager have for an individual; how is that -- how
14 is that designation used in the decision-making
15 process at Google?

16 MR. GAGE: Objection.

17 A. Can I ask you to clarify what
18 decision-making process?

19 Q. I'm trying to understand everything
20 that may be implicated by someone having the
21 designation of individual contributor versus
22 manager.

23 A. Oh, okay.

24 MR. GAGE: Objection.

25 Go ahead.

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2 managers people management training from
3 which I'm not sure if people place much
4 significance on that aspect of it. Yeah, I -- I
5 don't see that it's -- there's a lot of
6 significance in it.

7 Q. With respect to the distinguished
8 technical solutions consultant role --

9 A. Okay.

10 Q. -- are you aware of a minimum number
11 of years of experience needed for that role?

12 A. I -- I would have to consult the
13 guidelines. I would speculate that you said it
14 distinguishes L 8, if I remember correctly. I
15 would speculate it's probably somewhere between
16 upper teens, maybe twenty.

17 Q. What about with respect to the L 9
18 role?

19 A. I would say -- and a qualifier to
20 that is relevant years of experience. For the
21 L 9, I would probably say just kind of a handful
22 more than -- than whatever that memo is.

23 Q. Do you know this to be the case or is
24 this your assumption based on what you know about
25 Google generally?

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2 A. Well, it's --

3 MR. GAGE: Objection.

4 Go ahead.

5 A. Without -- without looking -- I said
6 it is speculative without looking at the -- the
7 specific leveling guidelines; but in observation
8 of directors we have brought into the
9 organization, that's what leads me to that number.

10 Q. When we looked at the leveling
11 guidelines earlier we didn't see a minimum number
12 of years, correct?

13 MR. GAGE: Objection.

14 You can look back at the document if
15 you'd like, but -- do you know which document
16 that was that you're referring to, Cara?

17 MS. GREENE: Yeah, give me one
18 moment.

19 THE WITNESS: I think it was 10 --
20 no.

21 Q. Did you find it for the technical
22 solutions consultant?

23 A. I haven't yet. I'm clicking through
24 each tab.

25 Q. All right, I've got it. Give me one

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2 been going a little over an hour now, so we
3 can take a short break.

4 MR. GAGE: What time do you want to
5 come back? You want to make it 5 -- Eastern
6 Time 5:15?

7 MS. GREENE: Sure.

8 THE WITNESS: That works? Okay, that
9 works for me.

10 MR. GAGE: All right.

11 MS. GREENE: We'll go off the record.

12 THE VIDEOGRAPHER: We're going off
13 the record, the time is 5:07 p.m. New York
14 time.

15 (Whereupon, there was a brief recess
16 in the proceedings.)

17 THE VIDEOGRAPHER: The time is 5:17
18 p.m. New York time, we're back on the
19 record.

20 Q. Okay. With respect to software
21 engineers Level 8s, what are their day-to-day
22 responsibilities?

23 A. So it would depend on the software
24 engineering job ladder. There are two tracks. So
25 there is a technical track, also known as the IC

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2 track, though not necessarily the individual
3 contributors. There is a manager track.

4 So, broadly speaking, day-to-day
5 responsibilities can be everything from probably
6 the bulk of -- a reasonable amount of their time
7 being spent on coding and/or approving codes
8 that's have been pushed into production that
9 ultimately make their products and services
10 available.

11 I would say there's a bulk of it
12 that -- or maybe a smaller portion that's around
13 leading the team if you're on the people manager
14 track. There's a reasonable part of it that is
15 around contributing to what we call PRD, Product
16 Requirement Documents, that these are essentially
17 documents that define how -- like what we're
18 trying to build and how we're actually gonna kind
19 of build it; and there's probably a -- a small
20 percent of time that they are kind of doing like
21 typical business stuff, just like end meetings and
22 corroborating and things like that.

23 Those are probably the broad buckets.

24 Q. And in what ways does the day-to-day
25 responsibilities of Level 9 software engineers

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2 look different?

3 A. Day-to-day responsibilities for
4 software engineering don't change a whole lot from
5 Level 8s to 9. It is similar to our conversation
6 we previously had, whereby either the scope and
7 visibility and impact of their role shifts in some
8 ways.

9 So they are probably more aligned to
10 a higher priority product, perhaps a more kind of
11 innovative product if you will. They may start
12 leading a larger organization whereby more,
13 quote/unquote, products roll up to them.

14 So it's more about kind of scope and
15 product prior -- priority than shifting day-to-day
16 responsibilities from an L 8 to L 9 software
17 engineer.

18 Q. What are the skills necessary for an
19 L 8 software engineer?

20 A. Coding ability is probably the -- the
21 fore -- the forerunner there for which they still
22 have to go through coding interviews when code is
23 submitted in their interview packets, et cetera,
24 so that is probably the largest one.

25 There's going to be elements,

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2 depending on which track you're on, of leading a
3 team or organization. You're probably gonna to
4 see elements of strategic thinking to execution
5 because you have to be able to work with product
6 managers on -- on kind of building up that product
7 road map, but you also have to -- with production
8 managers on building the product road map and then
9 working with frontline engineers to actually code
10 the products themselves.

11 So it's a pretty interesting blend of
12 technical depth and kind of product leadership.

13 Q. And --

14 MS. GREENE: Hope, can you read back
15 the last question. Just the question, not
16 the answer.

17 (The question requested was read back
18 by the reporter.)

19 Q. And what different skills are is
20 required of a Level 9 --

21 MR. GAGE: Objection.

22 Q. -- a Level 9 software engineer?

23 A. If I -- I would probably say it's
24 just greater depth or ability of what I just
25 mentioned. So similar buckets, just more of if

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2 that makes sense.

3 Q. And with respect to the director of
4 product management, what are the day-to-day
5 responsibilities for a director of product
6 management Level 8 look like?

7 A. Level 8, yeah. There are going to be
8 probably a few different elements there.

9 There's going to be part of their
10 time that's spent on strategic direction of the
11 product and the ability defining where we want to
12 take this product on a multi-year road map and
13 starting to form a point of view on how we deliver
14 that -- that road map over the next, let's say,
15 six months to a few years.

16 There's an element around kind of
17 data analysis and customer feedback, so adjusting
18 how customers are using the product or service
19 and -- and responding to that feedback in either
20 reactive ways to support the need we didn't meet
21 or perhaps proactively thinking about features
22 that we can build into the product or service that
23 may unlock value to their business that they may
24 not necessarily see.

25 L 8 product managers are -- are

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2 people leaders, so there's not a kind of
3 individual or technical track in the manager
4 track; it's all one. So they're likely lead a --
5 probably a small to medium-sized team of product
6 managers on respective product or groups of
7 related products.

8 And then similar to software
9 engineering, there's a portion of their time
10 that's spent in kind of meeting, corroborating
11 with Eng, talking about feasibility and product
12 road maps, and how we actually think about
13 building these -- these over time.

14 Similar to software engineering, the
15 difference between L 9 -- L 8 and L 9 is largely
16 scrope, scrope -- scope, product complexity, or
17 product portfolios that we will likely grow them
18 into additional prod -- roles that have
19 responsibility for additional products and/or ask
20 them to build out more nascent products. So it's
21 going to be the innovation side of it.

22 Q. And I apologize if you already
23 answered this: Is -- product management, is that
24 considered an Eng role as you consider it?

25 A. So Eng is most often referred to as

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2 software engineering, but product management is
3 still a technical role because it sits within the
4 broader umbrella of Eng PM. So the primary
5 partner to the PMs, to product managers, are the
6 SWEs, are software engineers.

7 Q. And what are the skills that are
8 necessary for the product management Level 8 role?

9 A. Yeah. For Level 8 PM directors,
10 you're probably looking at someone who has
11 built and/or scaled products to reasonable size
12 and/or significant size. So kind of your product
13 management pedigree is -- is kind of your whole
14 profile.

15 I would say the -- the strategic
16 thinking aspect of it is -- is critically
17 important for product managers, because their
18 having to look into the future and predict and/or
19 anticipate what customers or users are going to
20 want or need.

21 There is a monetization element of
22 it, at least for -- for our business, whereby
23 you're thinking from a commercial acumen
24 perspective how do you actually drive revenue
25 through these products and how you think about

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2 monetizing them.

3 Those are probably the three broad
4 buckets that are -- are more unique to the product
5 manager role, in addition to the other things I
6 mentioned before about kind of like, you know,
7 agility and ambiguity.

8 Q. And what skills are less of -- what
9 additional skills are necessary at the L 9 level?

10 A. I would say it's probably largely
11 around portfolio complexity, and what I mean by
12 that is for L 8 product managers it's not uncommon
13 that they manage a single product and/or a small,
14 small group of products.

15 But once you move them to Level 9
16 product leaders, you're really looking more so
17 from a portfolio perspective whereby they're
18 probably going to have, you know, half a dozen
19 different products that roll up to them which then
20 means you're having to manage the competing
21 priorities and complexities across your portfolio
22 a little bit more.

23 So there is a -- a systems akin
24 aspect of it that is probably a step change from
25 L 8 to 9.